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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
GILBERTO ANDRACA-CARDENAS,)
)
Defendant.)
)

No. CR 11-0298 RS

**STIPULATION AND [PROPOSED]
ORDER EXCLUDING TIME UNDER 18
U.S.C. § 3161**

The defendant appeared for his first status conference before this Court on June 7, 2011. The parties have an agreement in principle and need additional time to further discuss the terms of the plea. The parties have agreed to exclude the period of time between June 7, 2011 to June 21, 2011, from any time limits applicable under 18 U.S.C. § 3161. The parties represented that granting the exclusion would allow the reasonable time necessary for effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties also agree that good cause exists, and that the ends of justice served by granting such an exclusion of time outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). At the hearing, the

1 Court made findings consistent with this agreement.

2 SO STIPULATED:

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4 MELINDA HAAG
United States Attorney

5
6 DATED: June 8, 2011

_____/s/
7 SUSAN PHAN
Special Assistant U.S. Attorney

8
9 DATED: June 8, 2011

_____/s/
10 STEVEN KALAR
Attorney for GILBERTO ANDRACA-CARDENAS

~~PROPOSED~~ ORDER

For the reasons stated above at the June 7, 2011 status conference, the Court finds that the exclusion from the time limits applicable under 18 U.S.C. § 3161 of the period from June 7, 2011 to June 21, 2011 is warranted and that good cause exists, and the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §3161(h)(7)(A).

IT IS SO ORDERED.

DATED: 6/10/11


RICHARD SEEBORG
United States District Judge